IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 332 of 2007 (M/B)

1. Swadesh Kumar Agarwal s/o Sri Vishambhar Agarwal
2. Smt. Bhagwati Agarwal w/o Sri Swadesh Kumar Agarwal
3. Veer Kumar @ Ranu s/o Sri Swadesh Kumar
4. Nirbhay Kumar @ Sonu s/o Sri Swadesh Kumar Agarwal
5. Abhay Kumar @ Monu s/o Sri Swadesh Kumar Agarwal
   All r/o Sarai Joga Singh, P.S. Nantaur,
   District Bijnor (U.P.) ….. Petitioners.

Versus

1. State of Uttarakhand through Secretary Home,
   Civil Secretariat, Dehradun, Uttarakhand.
2. Senior Superintendent of Police, Haridwar.
3. Station House Officer, Police Station Kankhal,
   District Haridwar.
4. Kiran Chand s/o Ved Prakash
   R/o Hanumant Puram,
   P.S.Kankhal, District Haridwar ……. Respondents

…….

Sri B.M.Pingal, Advocate for the petitioners.
Sri Prabhakar Joshi, Brief Holder for respondents 1, 2 and 3.
None for respondent no. 4.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S. Rawat, J.

RAJEEV GUPTA, C. J. (Oral)

Sri B.M. Pingal, Advocate for the petitioners.

Sri Prabhakar Joshi, Brief Holder for respondents 1, 2 and 3.

None for respondent no. 4.

2. Sri Prabhakar Joshi, the learned Brief Holder, submits that the writ petition filed by petitioners seeking quashing of the First Information Report and the case registered against them has, now, become infructuous as the police after completion of the investigation, did not find any case worth filing charge-sheet against the petitioners and as such a final report is proposed to be submitted in the case before the concerning Court in the near future.

3. In this view of the matter, the writ petition is dismissed as infructuous with the further direction that the interim order dated 29.03.2007 shall continue to remain in force till the submission of the final report in the case before the concerning Court.

(J.C.S.Rawat, J.) **(Rajeev Gupta, C. J.)**

01.05.2007 01.05.2007

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